

REMARKS

Claims 1-11 were rejected under 35 U.S.C. 102(b) as being anticipated by Thornton (US 6082656). In response, claim 1 has been amended to affect dependent claims 2-11. The amendment to claim 1 reflects the seamless language in the text of the application as originally filed, as well as the figures as originally filed, to read, "said earpiece and said microphone fit completely within said electronic device." Unlike Thornton, the present invention, as claimed in newly amended claim 1, has an earpiece and microphone that are housed within the electronic device.

Claim 12 was rejected under 35 U.S.C. 102(b) as being anticipated by Palermo (US 5771438). In response, claim 12 has been amended. The amendment to claim 12 reflects the seamless language in the text of the application as originally filed, as well as the figures as originally filed, to read, "said earpiece and said microphone fit completely within said electronic device." Unlike Palermo, the present invention, as claimed in newly amended claim 12, has an earpiece and microphone that are housed within the electronic device.

Claim 12 was also rejected under 35 U.S.C. 103(a) as being unpatentable over Thornton in view of Palermo. The aforementioned amendments, respectfully, should overcome this rejection.

Newly presented claim 13 removes some elements present in independent claims 1 and 12, and reads that "said earpiece and said microphone communicate seamlessly with said electronic device so as to not disturb the contour of said

electronic device." In is essentially in keeping with the newly introduced limitations of claims 1 and 12.

Applicant believes that the claims are now in condition for allowance, and respectfully requests that the Examiner telephone the attorney of record, Michael Greenberg, at 301-588-8393 should any claims not be deemed allowable so as to schedule an interview before mailing another office action.

I hereby certify that this amendment was mailed on January 20, 2004, the next business day that the Patent Office was open after within three months past the three month statutory period for response, to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 A petition for a three month extension of time is hereby made. Please charge all fees due and owing to deposit account number 500356 in the name of Greenberg & Lieberman.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael L. Greenberg, Esq." It consists of a stylized first name followed by a more formal last name and title.

Michael L. Greenberg, Esq.

Reg. No. 47312